



Docket No: 290.00670120

## DECLARATION AND POWER OF ATTORNEY

We, Paul B. MCCRAY, Jr., David A. SANDERS, Scott A. JEFFERS, Beverly L. DAVIDSON, and Patrick L. SINN, declare that: (1) our respective citizenships and residence/mailing addresses are indicated below; (2) we have reviewed and understand the contents of the specification identified below, including the claims, as amended by any amendment specifically referred to herein, (3) we believe that we are the original, first, and joint inventors of the subject matter in

## \*\*PSEUDOTYPED VIRUSES AND METHODS FOR THEIR USE\*\*

Filing Date: 26 March 2004

Serial No.: 10/811,353

described and claimed therein and for which a patent is sought; and (4) we hereby acknowledge our duty to disclose to the United States Patent and Trademark Office all information known to us to be material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56.\*

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below, or §365(a) of any PCT international application which designates at least one country other than the United States of America listed below, and have also identified below any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on the basis of which priority is claimed:

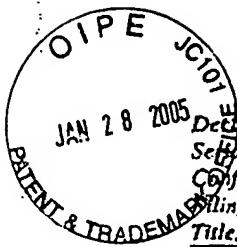
- a.  no such applications have been filed.
- b.  such applications have been filed as follows:

**FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER  
35 USC §119(a)-(d), §365(a), and/or §365(b)**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

**ALL FOREIGN APPLICATIONS, IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)**

COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)



Declaration  
Serial No. 10/811,353

Confirmation No. 1559

Filing Date: 26 March 2004

Title: PSEUDOTYPED VIRUSES AND METHODS FOR THEIR USE

Page 2 of 4

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PCT/US02/34545	28 October 2002	completed

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We hereby appoint those registered patent attorneys and registered patent agents associated with Customer Number 26813 as our attorneys (with full powers of appointment, substitution, and revocation) to prosecute the application, and any division, continuation, continuation-in-part, reexamination, or reissue thereof, to make alterations and amendments therein, and to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent.

Please direct all correspondence in this case to:

Attention: Victoria A. Sandberg  
 Muerig, Raasch & Gebhardt, P.A.  
 P.O. Box 581415  
 Minneapolis, MN 55458-1415  
 Telephone No. (612) 305-1226  
 Customer Number 26813

**Declaration****Page 3 of 4****Serial No. 10/811,353****Confirmation No. 1559****Filing Date: 26 March 2004****Title: PSEUDOTYPED VIRUSES AND METHODS FOR THEIR USE**

The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Wherefore, we pray that Letters Patent be granted to us for the invention described and claimed in the specification identified above and we hereby subscribe our names to the foregoing specification and claims, Declaration, and Power of Attorney on the date indicated below.

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Date

**Citizenship: United States of America****Residence: 534 Clark Street, Iowa City, Iowa, 52240-5616****Mailing Address: 534 Clark Street, Iowa City, Iowa, 52240-5616****(If different than Residence)**

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**David A. SANDERS**

Date

**Citizenship: United States of America****Residence: 324 Jefferson Drive, West Lafayette, Indiana, 47906****Mailing Address: 324 Jefferson Drive, West Lafayette, Indiana, 47906****(If different than Residence)**

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**Scott A. DICKERS**

Date

**Citizenship: United States of America****Residence: 1945 Indian Trail Drive, West Lafayette, Indiana 47906****Mailing Address: 1945 Indian Trail Drive, West Lafayette, Indiana 47906****(If different than Residence) 1572 S. Dawson St., Aurora, CO 80012**

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1/27/05

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**Beverly L. DAVIDSON**

Date

**Citizenship: United States of America****Residence: 3540 Johnston Way NE, North Liberty, Iowa 52317****Mailing Address: 3540 Johnston Way NE, North Liberty, Iowa 52317****(If different than Residence)**

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**Patrick L. SINK**

Date

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**Declaration****Serial No. 10/811,353****Confirmation No. 1559****Filing Date: 26 March 2004****Title: PSEUDOTYPED VIRUSES AND METHODS FOR THEIR USE****Page 4 of 4****§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

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(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

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- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the

Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.



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*Declaration*  
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David A. Sanders

Nov. 10, 2004

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Date

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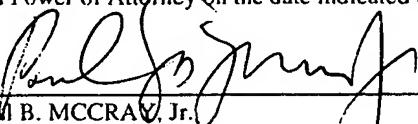
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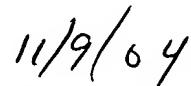
*Paul B. McCravy, Jr.*

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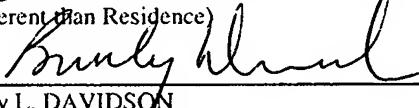
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